

Central Intelligence Agency

RECORD COPY



Washington, D. C. 20505

10 April 1984

Mr. Richard C. Barnes
Staff Director
Subcommittee on Legislation and
National Security
Committee on Government Operations
House of Representatives
Washington, D.C. 20515

Dear Mr. Barnes:

Enclosed is a copy of the Agency's policy on certain sexual conduct. As you can see, it is dated 6 June 1982 but the policy was reviewed in November of 1983, and the decision was made not to change it at that time.

I hope that this is useful to Congressman Waxman and that it will answer any questions he might have had. If this is not the case, please contact me and I will arrange for one of our security officers to brief the Congressman.

Sincerely yours,



STAT

Chief, Liaison Division
Office of Legislative Liaison

Enclosure

Distribution:

Original - Addressee
1 - OLL Record w/encl
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LD/OLL [redacted] (10 Apr 84)

STAT

6 JUN 1982

POLICY ON CERTAIN SEXUAL CONDUCT

Central Intelligence Agency employees and others holding CIA security clearances or approvals are entrusted with access to highly sensitive classified information relating to the national security. To be eligible for access to classified information, individuals must be trustworthy, stable, of excellent character and discretion, and not subject to undue influence or duress through exploitable personal conduct.

The security clearance or approval process entails the examination of a sufficient period of a person's life to make a determination that the person is not now, nor likely to become later, an unacceptable security risk. Adjudication in the field of security is the careful weighing of a number of variables known as the "whole person" concept. The recency of occurrence of any adverse incident, together with circumstances pertaining thereto, is central to a fair and uniform evaluation. The maturity and responsibility of a person at the time of the adverse incident(s) as well as any repetition or continuation of such conduct will be considered. Each case must be judged on its own merits and final determination remains the responsibility of the Director of Central Intelligence. Any doubt concerning a person having access to classified information shall be resolved in favor of the national security.

Sexual conduct can be a relevant consideration in circumstances in which the conduct reflects upon the individual's stability, indicates a personality disorder or could result in exposing the individual to direct or indirect pressure because of susceptibility to undue influence, duress, blackmail or coercion. For example, foreign intelligence services are known to target for cultivation and exploitation persons known or believed to be practicing adult homosexual behavior. There have been a significant number of espionage cases in which homosexual conduct has been a factor. In addition, homosexual activity is illegal in many areas of the world in which Agency personnel must serve. In examining such cases, it is relevant to consider the age of the person, the voluntariness and the frequency of such activities, the public nature and the recency of the conduct, the identity of others participating in the conduct, and any other

circumstances which may serve to aggravate the nature or character of the conduct. A recommendation for disapproval is appropriate when, in view of all available evidence concerning the individual's history of sexual behavior, it seems likely that access to classified information could pose a risk to the national security.

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Policy on Certain Sexual Conduct

FROM:

Deputy Director of Security (P&M)

EXTENSION

NO.

STAT

DATE

6 April 1984

STAT

TO: (Officer designating building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

OLL

Attn:

7B-02, Hqs.

4/6/84

T

1-2:

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2.

HL(LD) (norm)

your action.

Call if I can help further.

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6 APR 1984

MEMORANDUM FOR: Office of Legislative Liaison

ATTENTION:

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FROM:

Deputy Director of Security
Policy and Management

SUBJECT: Policy on Certain Sexual Conduct

1. Reference is made to our telephonic discussion on 5 April 1984 concerning Agency policy with regard to the adjudication of cases involving adult homosexual activity by the applicants. Attached herewith is an unclassified policy statement of 16 June 1982, which was approved by the DDCI.

2. For your own additional background information, [redacted] chaired an Agency Task Force, which again reviewed this issue in November 1983, and he verbally presented his findings to the DDCI. I would mention that all Directorates were represented, in addition to OS, OGC, OMS, and CI Staff. The basic conclusion was that there is no reason to change our policy at this time. [redacted] Deputy Director of Security, was our representative on the Task Force.

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3. I have advised [redacted] who is in agreement that we can release the "basic" 2 page unclassified policy statement, and see if that satisfies Congressional interest, before going with a briefing by the Office of Security.

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Attachment

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ADMINISTRATIVE INTERNAL USE ONLY

INSPECTOR GENERAL

82-546

MEMORANDUM FOR: Deputy Director of Central Intelligence

VIA: Executive Director
Inspector General

FROM: Harry E. Fitzwater
Deputy Director for Administration

SUBJECT: Security Policies on Drug Abuse and Certain
Sexual Conduct

REFERENCE: Inspector General's Report on the Office of
Security, dated September 1981

1. Recommendation #3 of the Inspector General's report concerning the Office of Security suggests that a panel be formed to review the Agency's policies on drug usage and homosexuality. At my request, the Directors of Security, Medical Services, and Personnel along with the Chief, Counterintelligence Staff and a representative of the Office of General Counsel reexamined these policies. Forwarded herewith are statements outlining the refined Agency's policies in these two areas, coordinated with the concerned components.

2. I recommend that these statements be accepted as Agency policy and that no further action be undertaken at this time.

Harry E. Fitzwater

Attachments

CONCUR:

A/ Inspector General

Executive Director

14 JUN 1982

Date

STAT

STAT

15 June 82 STAT
Date

OS REGISTRY

2-0065/19

SUBJECT: Security Policies on Drug Abuse and Certain
Sexual Conduct (DDA 82-0024/26)

APPROVED:

/S/ John N. McMahon

Deputy Director of Central Intelligence

16 June 82
Date

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OS REGISTRY
2-0065/19